

SUPREME COURT
STATE OF ARIZONA

In the matter of :)	
)	Supreme Court No. R-09-0043
PETITION TO AMEND RULE 48 OF)	
THE RULES OF PROCEDURE FOR THE)	COMMENT AND REQUEST
JUVENILE COURT)	FOR ADDITIONAL TECHNICAL
)	AND CONFORMING
)	AMENDMENTS TO RULES
_____)	41, 52 AND 54

Pursuant to Arizona Supreme Court Rule 28, David K. Byers, Director, Administrative Office of the Courts, respectfully files this comment to R 09-0043, a Petition to amend Rule 48, rules of Procedure for the Juvenile Court.

I. Background and Purpose of Comment

In December 2009, the Administrative Office of the Courts, through the undersigned Administrative Director, petitioned this court to amend Rule 48, as the need for a conforming amendment to that rule was inadvertently missed. As stated in the petition, Rule 41 was modified in September 2008 to provide for open court proceedings relating to dependent children, permanent guardianships, and termination of parental rights. The proposed amendments also provided for hearings to be closed for good cause and admonitions to be given to attendees.

Recently, it has become apparent that there are three additional rules that require conforming and technical changes of the nature proposed in R-09-0043.

The Director, Administrative Office of the Courts, submits this comment in an effort to bring the court's attention to the other conforming changes required to implement the legislation prompting the filing of R-09-0043.

II. Contents of the Proposed Changes

The proposed changes affect Rules 41, 52 and 54. The changes are attached as Appendix A.

III. Conclusion

The Director believes that this comment is an effective and efficient mechanism to bring these additional changes to the court's attention, and respectfully requests that the court include these conforming and technical changes in the final rule/rules adopted pursuant to R-09-0043.

Respectfully submitted this _____ day of May, 2010.

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